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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,615	06/13/2001	Michael W. Johnson	S63.2-9949	7299
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VIDAS, ARRETT & STEINKRAUS, P.A. 6109 BLUE CIRCLE DRIVE SUITE 2000			EXAMINER	
			COZART, JERMIE Ę	
MINNETONKA, MN 55343-9185			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		<u> </u>	Application No.	Applicant(s)				
Jamile Cozet Jamile Cozet Jazenia Jaz			09/880,615					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. HE WARLING DATE OF THIS COMMUNICATION. If the MAILING DATE OF THIS COMMUNICATION. If this action is the set of extended period for rely will, by statistic period will deat of the communication. If this action is the set of extended period for rely will, by statistic period will deat of the communication. If this action is the mailing date of this communication is communication. If this action is the mailing date of this communication. If this action is final. If this action is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims If the proposed date of this communication from consideration. If the proposed date of this communication is a state objected to by the Examiner. If the proposed drawing is a state objected to by the Examiner. If the proposed drawing correction filed on is a particular to the drawing correction filed on is a particular to the drawing correction filed on is a particular to the foreign priority		Office Action Summary	Examiner	Art Unit				
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1) Notice of References Cited (PTO-932) Notice of Praffsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	4) Interview Summary (PTO-413) Paper No(s)							
	lαΓ	T Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Inform	nal Patent Application (PTO-152)				

Application/Control Number: 09/880,615

Art Unit: 3726

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 23-30 and 32-40, drawn to a method of manufacturing a stent, classified in class 29, subclass 557.
 - II. Claims 31 and 41, drawn to a stent, classified in class 606.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product can be made another materially different process such as winding wire over a mandrel.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Jonathan Grad on January 25, 2002 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 703-305-0126. The examiner can normally be reached on Monday-Thursday, 7:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

S. THOMAS HOGHES SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

January 25, 2002